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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91210772
Party	Defendant Kenko Tokina USA, Inc.
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Date	09/24/2014
Attachments	US_WEST-#804692405-v1-Consented_Motion_to_Amend_Application.pdf(6659 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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INTERCAST EUROPE S.r.l.,	:		
	:		
Opposer,	:		Opposition No. 91/210,772
	:		
v.	:		Serial No. 85/718,687
	:		
KENKO TOKINA USA, INC.,	:		
	:		
Applicant.	:		
	:		
	X		

**CONSENTED MOTION TO AMEND APPLICATION**

The description of goods and services pertaining to NXT Application No. 85/718,687 which is the subject of the Opposition should be amended pursuant to 37 C.F.R. §2.133(a) as set forth below:

**NXT Application No. 85/718,687**

The description of goods and services presently reads as follows:

“Portable photography equipment, namely optical glass filters, UV filters, protector filters and circular polarizer filters.”

Applicant, Kenko Tokina USA, Inc., through its attorney, desires to amend and restrict the identification of goods and services in the above-identified application by deleting and restricting the recitation of goods and by adding limiting language to the International Class 9 goods and services, expressly excluding “lenses for eyeglasses and sunglasses; visors for helmets and goggles; eyewear, namely sunglasses and eyeglasses” in International Class 9. The amended description of goods shall read as follows in the redlined version and the final proposed amended version below:

“Portable photography equipment, namely optical glass filters, UV filters, protector filters and circular polarizer filters, excluding lenses for eyeglasses and sunglasses; visors for helmets and goggles; eyewear, namely sunglasses and eyeglasses”.

Thus, the proposed restricted recitation of goods shall read as follows:

“Portable photography equipment, namely optical glass filters, UV filters, protector filters and circular polarizer filters, excluding lenses for eyeglasses and sunglasses; visors for helmets and goggles; eyewear, namely sunglasses and eyeglasses”

This amendment is filed with the written consent of Opposer, Intercast Europe S.r.l., pursuant to the terms of the written Settlement Agreement reached between the parties in these proceedings.

Applicant respectfully requests that Deposit Account No. 502157 be charged any amount due to process this amendment.

The undersigned being warned that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or this document, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Respectfully submitted,

MCKENNA LONG & ALDRIDGE, LLP  
Attorneys for Applicant,  
Kenko Tokina USA, Inc.

Dated: September 24, 2014

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**CERTIFICATE OF TRANSMISSION**

I, Jeffrey D. Wexler, hereby certify that a copy of the foregoing **CONSENTED MOTION TO AMEND APPLICATION** is being electronically transmitted to the United States Patent and Trademark Office on the date indicated:

Dated: September 24, 2014

/s/ Jeffrey D. Wexler

**CERTIFICATE OF SERVICE**

I, Jeffrey D. Wexler, hereby certify that a copy of the foregoing **CONSENTED MOTION TO AMEND APPLICATION** was served on the person listed below by e-mail and by First-Class mail, postage prepaid, as follows:

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Dated: September 24, 2014

/s/ Jeffrey D. Wexler

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